

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE UNDER RULE 116  
EXPEDITED HANDLING PROCEDURES

In re Patent Application of



SHIBUYA, et al.

Serial No. 10/763,276

Filed: January 26, 2004

Title: SUBSTANCE WHICH INHIBITS BIDING OF INFORMATION TRANSFER MOLECULE FOR 1175-TYROSINE PHOSPHORYLATED KDR/FLK-1 AND USAGES OF THE SAME

Atty BJS-249-323

Dkt.

C# M#

C/A.U.

1642

Examiner: Reddig

Date: April 30, 2007

Attachments:

- (1) Second Amendment After Final Rejection;
- (2) Request for Continued Examination (RCE) Transmittal;
- (3) IDS, PTO-1449 Form & cited Eum et al reference;
- (4) English translation of previously-submitted deposit receipt; and
- (5) Credit Card Payment Form

**Mail Stop AF**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**RESPONSE/AMENDMENT/LETTER**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

|  |    |                      |                                |
|--|----|----------------------|--------------------------------|
| Total effective claims after amendment | 8  | minus highest number |                                |
| previously paid for                    | 20 | (at least 20) =      | 0 x \$50.00                    |
|  |    |                      | \$0.00 (1202)/\$0.00 (2202) \$ |

|                                    |   |                      |                                |
|------------------------------------|---|----------------------|--------------------------------|
| Independent claims after amendment | 2 | minus highest number |                                |
| previously paid for                | 3 | (at least 3) =       | 0 x \$200.00                   |
|                                    |   |                      | \$0.00 (1201)/\$0.00 (2201) \$ |

If proper multiple dependent claims now added for first time, (ignore improper); add  
\$360.00 (1203)/\$180.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s)

|                        |                                      |
|------------------------|--------------------------------------|
| One Month Extension    | \$120.00 (1251)/\$60.00 (2251)       |
| Two Month Extensions   | \$450.00 (1252)/\$225.00 (2252)      |
| Three Month Extensions | \$1020.00 (1253)/\$510.00 (2253)     |
| Four Month Extensions  | \$1590.00 (1254)/\$795.00 (2254)     |
| Five Month Extensions  | \$2160.00 (1255)/\$1080.00 (2255) \$ |

Terminal disclaimer enclosed, add  
\$130.00 (1814)/ \$65.00 (2814) \$

Applicant claims "small entity" status.  Statement filed herewith

|   |                 |         |
|---|-----------------|---------|
| Rule 56 Information Disclosure Statement Filing Fee | \$180.00 (1806) | \$ 0.00 |
|---|-----------------|---------|

|                          |                |         |
|--------------------------|----------------|---------|
| Assignment Recording Fee | \$40.00 (8021) | \$ 0.00 |
|--------------------------|----------------|---------|

|   |                                 |           |
|---|---------------------------------|-----------|
| Other: RCE fee required under 37 C.F.R. § 1.17(e) | \$790.00 (1801)/\$395.00 (2801) | \$ 790.00 |
|---|---------------------------------|-----------|

**TOTAL FEE \$ 790.00**

 **CREDIT CARD PAYMENT FORM ATTACHED.**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

901 North Glebe Road, 11th Floor  
Arlington, Virginia 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
BJS:pp

NIXON & VANDERHYE/P.C. 04/07 JADD01  
By Atty: B. J. Sadoff, Reg. No. 36,663  
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Signature:

Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST**

FOR

**CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
 Mail Stop RCE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450



|                               |                  |
|-------------------------------|------------------|
| <i>Application Number</i>     | 10/763,276       |
| <i>Filing Date</i>            | January 26, 2004 |
| <i>First Named Inventor</i>   | Shibuya          |
| <i>Group Art Unit</i>         | 1642             |
| <i>Examiner Name</i>          | Reddig           |
| <i>Attorney Docket Number</i> | BJS-249-323      |

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application. Request for continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

**1. Submission required under 37 C.F.R. § 1.114.**

- a.  Previously submitted (Note: Any previously filed unentered amendments will be entered unless applicant instructs otherwise. If applicant does not wish to have previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
  - i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on December 28, 2006
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii.  Other \_\_\_\_\_
- b.  Enclosed
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other Second Amendment After Final Rejection and English translation of previously-submitted deposit receipt \_\_\_\_\_

**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 35 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b.  Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a.  Applicant claims "small entity" status.
- b.  Fees are attached as calculated below:
 

|   |                                 |                         |    |
|---|---------------------------------|-------------------------|----|
| i. <input checked="" type="checkbox"/> RCE fee required under 37 C.F.R. § 1.17(e) | \$790.00 (1801)/\$395.00 (2801) | \$ 790.00               |    |
| ii. <input type="checkbox"/> Petition is made to extend the due date              | months (less                    | months previously paid) | \$ |
| iii. <input type="checkbox"/> Other _____   |                                 |                         | \$ |
- c.  Check in the amount of \$ \_\_\_\_\_ enclosed.
- d.  Payment by credit card (credit card payment form attached) in the amount of \$ 790.00
- e.  The Director is hereby authorized to charge any deficiency in the fee(s) filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm), to Deposit Account No. **14-1140**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |              |                                   |                |
|-------------------|--------------|-----------------------------------|----------------|
| Name (Print Type) | B. J. Sadoff | Registration No. (Attorney/Agent) | 36,663         |
| Signature         |              | Date                              | April 30, 2007 |

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

|                   |       |
|-------------------|-------|
| Name (Print Type) | _____ |
| Signature         | _____ |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, Box RCE, P.O. Box 1450, Alexandria, VA 22313-1450.